

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 268
CASE NO. 78-24
MARCH 8, 1979

Pursuant to notice, a public hearing was held by the District of Columbia Zoning Commission on January 22, 1979, to consider an amendment to the Zoning Map of the District of Columbia. This amendment was initiated by the Zoning Commission to consider changes of zoning for various properties in the Takoma area of the District of Columbia. The specific proposed changes are from R-1-B, R-5-A, C-2-A, and C-M-1 to C-1, C-2-A or C-3-A, R-5-A, and R-1-B.

The R-1-B District permits single-family detached dwellings with a minimum lot area of 5000 square feet, minimum lot width of 50 feet, maximum lot occupancy of forty percent and a three story/forty foot maximum height limit. The R-5-A District permits general residential use (including detached, semi-detached and row dwellings, flats, and apartments), with a forty percent maximum lot occupancy, a maximum floor area ratio (FAR) of 0.9, and a three story/forty foot maximum height limit. The C-1 District permits office and retail uses, with a maximum FAR of 1.0, a maximum lot occupancy of sixty percent, and a maximum height of forty feet or three stories. The C-2-A District permits office and retail commercial uses, with a maximum FAR of 2.5 for residential uses and 1.5 for Hotels and other permitted uses, a maximum lot occupancy of sixty percent for residential use, and a maximum height limit of fifty feet. The C-3-A District permits office and retail use, with a maximum FAR of 4.0 for residential uses and 2.5 for hotels and other permitted uses, a maximum lot occupancy of seventy-five percent and a maximum height of sixty-five feet. The C-M-1 District permits heavy commercial and light industrial uses along with retail and office uses with a maximum FAR of 3.0, and a maximum height of three stories/forty feet. New residential uses are prohibited.

Plan Takoma, a community organization responsible for coordinating community planning efforts, and the Municipal Planning Office (now Office of Planning Development) submitted a petition requesting the Zoning Commission to sponsor the proposal to rezone a large portion of the Takoma area of the District of Columbia. The Commission granted the petitioners' request and initiated action to conduct a public hearing in accordance with the provisions of paragraph 9101.22 of the Zoning Regulations of the District of Columbia.

The Takoma, D.C. planning area is a part of Ward 4, a large and stable residential area stretching from Rock Creek Park on the west, Silver Spring, Maryland on the north, Takoma Park, Maryland on the east, and Wards 1 and 5 on the south. Ward 4 is served by three metrorail stations, the existing Takoma and Fort Totten Stations, and the proposed Georgia Avenue Station, all of which are designed to provide rapid transit service to most of Ward 4. The subject area of this case is generally bounded by Eastern and Laurel Avenues on the northeast and southeast, Aspen Street on the south, Fifth Street on the west, and Piney Branch Road on the northwest. There were several other boundaries defined in the planning process. They are as follows:

1. The Political Boundary: The Takoma Metro station is located at the District line which separates Takoma Park, Maryland from Takoma, D.C. Therefore, while the Metro impact area extends into Maryland, the plan and this consideration by the Zoning Commission focuses on that area in the District. However, planning work did address itself to the plans developed for Takoma Park, and an effort was made to coordinate land use potentials, including traffic issues that arose, in conjunction with this effort.
2. The Census Tract Boundary: Census Tract 17 is an approximation of the planning boundaries finally established. As such it was a useful tool for studying socio-economic characteristics and trends of the general population in Takoma, and its housing patterns.
3. The Historic Boundary: Takoma was originally a resort suburb of Washington. The original boundaries were useful in looking at such issues as historic preservation, visual community coherence, and commercial and industrial development.

4. Walk-on Boundary: This is a circle with a radius of 1300 feet covering an area of pedestrian traffic to the Metro station.
5. Planning Boundaries: The general boundaries were developed through consideration of the Ward 4 boundaries and community input. The District line is the northern and eastern boundary of the planning area; 8th Street was chosen as the Western boundary rather than Georgia Avenue (Census Tract 17's western boundary) because the Georgia Avenue corridor is a separate planning site. The southern boundary is Underwood Street. It was used because (1) the community felt that the block between Van Buren and Underwood Streets represented a transitional block between communities, and (2) the MPO staff wanted to indicate that the Coolidge High School and Recreation Center was used by Takoma residents as well as by those to the south, and thus had to be considered in the plan effort.

The Takoma area is predominately zoned R-1-B, R-5-A, C-2-A, and C-M-1. The C-M-1 stretches generally from Chestnut Street on the north to Aspen Street on the south along the Baltimore and Ohio (B&O), and Metro rights-of-way for distances ranging from 100 to 400 feet on the west and east of the B&O/Metro rights-of-way. C-2-A is located on the east and west of the C-M-1 zoning, primarily along Fourth, and Butternut Streets to the west, and Carroll Street to the east. R-5-A zoning is concentrated to the northeast of the subject area between the B&O/Metro right-of-way and the District line. R-1-B zoning in the subject area is to the southeast between a large portion of C-2-A and C-M-1 on the east of the B&O/Metro line and extends many blocks beyond the subject area to the south, west and northwest.

Residential uses are primarily in the form of detached and semi-detached single-family houses, generally located at the edges of the subject area. Commercial uses are primarily concentrated on Butternut Street between Blair Road and Fifth Street, Fourth Street between Butternut and Cedar Streets, and Carroll Street between Fourth Street, and Eastern Avenue, N.W. Industrial uses are concentrated primarily along and adjacent to the B&O/Metro right-of-way.

The construction of a Metro station and the opening of operations generated the need to insure protection of the surrounding residential community while at the same time encouraging appropriate forms of development of benefit to the community and Metro. In the process of gathering data on Takoma, it became apparent that Takoma has certain problems that could be aggravated or alleviated by the presence of the station. These problems revolve principally around traffic and zoning. Therefore, the alternatives focus on these issues. The traffic capacity of the major arterials is extremely limited due to the large numbers of commuters who, in addition, contribute pollution through severe backup problems. This congestion poses a constraint on any potential development.

The C-2-A and C-M-1 zones surrounding the station where redevelopment is likely to occur, are, in large measure, inappropriate and inefficient for the area. Most of the industrial zone is unused; the commercial zone, a zone meant to serve large segments of the city outside the central core, cannot compete with the outlying regional shopping centers in Maryland, Silver Spring for example. Because of this, the present commercial district has deteriorated and is underused.

Another potential problem is the amount of development that is permitted under C-2-A. If a market did exist in this area (and there are already indications of some buildings interest) - the amount of development might overload the community physically, and equally important, would incapacitate an already strained street system. The zones allow no supervision over the kind of development that could be placed in Takoma if the Metro impact was substantial. In addition, a principal need in D.C. is for housing which for economic reasons does not get built in C-2-A zones. The Commission notes that it has recently adopted changes to the C-2-A District which encourages housing and which reduced the level of commercial development from 2.0 to 1.5 FAR.

The goals and policies of the Takoma plan developed as a result of the culmination of almost five years of planning conducted in numerous workshops with community groups, business interests, and government agencies. These workshops focused on analysing planning data and developing several zoning schemes. During these workshops the D.C. Department of Transportation prepared a traffic analysis to determine traffic capacity in the area. This analysis enabled planners to develop a range for potential development within an acceptable level of traffic. The D.C. Board of Education and Department of Environmental Services provided information on school population and water and sewer capacity. The D.C. Department of Housing and Community Development was consulted on housing needs within the area.

Information that was gathered from the workshops indicated that the residential areas were reasonably sound, and that the commercial areas were blighted and in need for revitalization. The following guidelines were suggested as a way of satisfactorily distributing this development potential in a way that would minimize the impact of future development on the surrounding residential neighborhoods:

1. Maximum development should be limited to those squares zoned C-2-A or C-M-1.
2. Where possible the areas adjacent to these squares should be developed to lower residential densities to provide a compatible transition to the surrounding low density residential area.
3. Park buffers should be established between the moderate density residential development existing commercial development, and the existing low density residential areas.

The Office of Planning and Development (OPD) in its memorandum, dated 1-18-79 identified a modification to the proposed rezoning by Plan Takoma. However, OPD reported that the overall recommendations for uses in Takoma was that the predominant low-density residential character of the community be retained, that the industrial districts be rezoned to low/moderate commercial districts, and that buffers be employed, where possible, to create a use and/or density transition between areas.

The D.C. Department of Environmental Services, by memorandum dated 1-10-79 reported anticipating "no appreciable adverse impact on this department's activities and interests resulting from the proposed zoning changes."

The D.C. Fire Department by memorandum dated 1-12-79 reported "no adverse condition that would affect the operations of the Fire Department."

The D.C. Public Schools, by memorandum dated 1-8-79 reported that there would be no impact upon the school facilities in the area caused by any development potential as proposed.

The D.C. Department of Transportation (DCDOT) by testimony presented at the hearing identified traffic as being the issue of major concern. DCDOT indicated that the existing street system was overloaded, particularly during peak hours. It was also reported that light industrial uses in the CM zones would create truck access problems, that there were no short or long term plans to widen Blair Road, and that there were no plans to cut Eastern Avenue through. DCDOT objected to any type of proposal that would further adversely impact the traffic system of the subject area.

The record of the hearing, and the extensive reports and testimony submitted by Plan Takoma and OPD revealed on a block-by-block basis, the way in which the goals and policies were applied to the subject area. The Commission believes that such testimony supports, the rezoning in this case and that this rezoning would protect the low-scale character of the single family residential community, discourage the development industrial uses, stimulate the revitalization of the commercial districts, and stabilize the Takoma area.

The Commission finds that the goals and policies can be best carried out by use of C-2-A in lieu of C-M-1 to concentrate and stimulate mixed commercial and residential development, R-5-A in lieu of C-2-A to stabilize and maintain existing lower density residential use, and R-5-A in lieu of R-1-B to serve as a buffer between commercial and low-density residential use.

In the course of deciding the case, the Commission gave consideration to retain specific areas. The Cady Mansion property, located at the corner of Eastern Avenue and Piney Branch Road was proposed to be rezoned from R-5-A to R-1-B. The Commission notes the existence of a covenant concerning preservation of the house for at least twenty years. The Commission believes that there is no planning basis to rezone the lot, which is part of a row of properties zoned for apartment use, from R-5-A to R-1-B. The lot is isolated from other single family properties in the District by the rail right-of-way and should be left R-5-A.

The properties located on the west side of 4th Street south of Butternut Street were suggested for rezoning from C-2-A to C-1. The Commission notes that the C-1 and C-2-A Districts have similar non-residential density (1.0 and 1.5 FAR, respectively) and that the areas to the north, east and south would all be zoned C-2-A. The Commission sees no basis for rezoning those properties to C-1, and accordingly, will leave them C-2-A.

The properties bounded by Willow and Myrtle Avenues and Sandy Spring Road are partially vacant, and partially developed with single family dwellings. These properties are surrounded on three sides by properties zoned C-2-A and on the east side by the rail rights-of-way. The Commission believes that the area is not appropriate for medium density residential use, to act as a transition between the commercial and low density residential area.

The Commission determined to leave a small amount of existing C-M-1 zoning in place along Blair Road between Cedar and Chestnut Streets. These properties have been recently developed with C-M type buildings and uses, and there is little expectation that such properties will be redeveloped. The Commission further decided to avoid placing such recently expanded use in non-conforming status. There was community support for this action.


Advisory Neighborhood Commission 4B, supported the comprehensive approval to rezoning for the area which the Zoning Commission had under consideration. The ANC had participated in an active role in the planning which preceded the Zoning Commission case, and the ANC supported rezoning which would allow a mixture of residential and commercial uses in Takoma's business district under C-1 and C-2-A zoning categories, provided for retention of existing apartments and development of new detached, semi-detached and row houses under the R-5-A District, and discourage expansion of the heavy commercial and light industrial uses currently allowed under the C-M-1 District. The Commission agrees with these basic concerns, and has noted accordingly. The ANC also presented specific comment on the various blocks within the area. The Commission basically agrees with the ANC, and has discussed its most significant differences previously in this order.

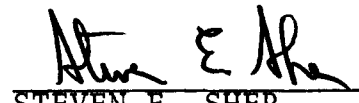
The proposed map amendments were referred to the National Capital Planning Commission (NCPC) under the terms of the District of Columbia Self Government and Governmental Reorganization Act and the NCPC reported that the proposed amendments would not have a negative impact on the Federal Establishment or other Federal interests in the National Capital.

The Commission finds that the proposed amendments are in the best interest of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and Zoning Act. The Commission therefore, orders ADOPTION of the following amendments to the Zoning Map:

1. Change from C-2-A to R-5-A lots 3 and 9 in Square 3277; lots 809, 14, 17, 816 and 33-36 in Square 3276; and lots 35 and 36 in Square 3275.
2. Change from C-M-1 to C-2-A lot 818 in Square 3280; lots 800, 801, 803-805 and 816-821 in Square 3188; lots 829, 830, 809 and 818 in Square 3187; lot 801 in Square 3186; lots 802, 816, 50, 814, 51, 818 and 806 in Square 3185; the Metro Station areas in Squares 3351 and 3352; lots 816, 810, 811, 819, 25, 4, 5, 825, 818, 29, 14, 13, 20, 21 and 802 in Square 3354; lots 5, 802, 804, 805, 807 and 809 in Square 3355; and the right of ways of streets, alleys, metro and railroad lines included in the above areas.
3. Change from R-1-B to R-5-A all those portions of Square 3357 and 3359, zoned R-1-B.

Vote of the Commission taken at the public meeting held on February 8, 1979: 5-0 (Walter B. Lewis, Ruby B. McZier, Theodore F. Mariani, John G. Parsons and George M. White).


RUBY B. MCZIER
Chairperson
Zoning Commission


STEVEN E. SHER
Executive Director
Zoning Secretariat

This Order was adopted by the Zoning Commission at its public meeting held on March 8, 1979 by a vote of 5-0 (George M. White, Theodore F. Mariani, Walter B. Lewis, Ruby B. McZier and John G. Parsons to ADOPT).

In accordance with Section 3.6 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, the amendment to the Zoning Map are effective on 16 MAR 1979.